

02/11/02

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J1040 U.S. PTO

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PTO/SB/05 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

UCSD 98-065DIV

First Inventor

VECCHIO, Kenneth

Title

PROCESS FOR MAKING...

Express Mail Label No.

ET655458786US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 52]  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 6]
5. Oath or Declaration [Total Pages 1]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 17 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Other: Verified Statement of Small Entity Status

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)of prior application No.: 09 / 130,722

Prior application information.

Examiner Johnson, S.Group / Art Unit: 3641

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18. CORRESPONDENCE ADDRESS**☐ Customer Number or Bar Code Label

or

☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

FUESS &amp; DAVIDENAS

Address

10951 Sorrento Valley Road

Suite II-G

City

San Diego

State

CA

Zip Code

92121-1613

Country

US

Telephone

858 452 8293

Fax

858 452 6035

Name (Print/Type)

William C. Fuess

Registration No. (Attorney/Agent)

30,054

Signature

*William C. Fuess*

Date

02/11/02

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 930

## Complete if Known

|                      |                   |
|----------------------|-------------------|
| Application Number   | TBD               |
| Filing Date          | February 11, 2002 |
| First Named Inventor | VECCHIO, Kenneth  |
| Examiner Name        | TBD               |
| Group Art Unit       | TBD               |
| Attorney Docket No.  | UCSD 98-065DIV    |

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number   
Deposit Account Name

- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity Code | Small Entity Code | Fee (\$) | Fee Description | Fee Paid               |     |
|-------------------|-------------------|----------|-----------------|------------------------|-----|
| 101               | 710               | 201      | 355             | Utility filing fee     | 370 |
| 106               | 320               | 206      | 160             | Design filing fee      |     |
| 107               | 490               | 207      | 245             | Plant filing fee       |     |
| 108               | 710               | 208      | 355             | Reissue filing fee     |     |
| 114               | 150               | 214      | 75              | Provisional filing fee |     |

SUBTOTAL (1) (\$ 370

### 2. EXTRA CLAIM FEES

Total Claims  62 -20\*\* =  42 X  9 =  378  
Independent Claims  4 -3\*\* =  1 X  42 =  42  
Multiple Dependent ☒ X  =  140

| Large Entity Code | Small Entity Code | Fee (\$) | Fee Description |  |
|-------------------|-------------------|----------|-----------------|--|
| 103               | 18                | 203      | 9               | Claims in excess of 20                                     |
| 102               | 80                | 202      | 40              | Independent claims in excess of 3                          |
| 104               | 270               | 204      | 135             | Multiple dependent claim, if not paid                      |
| 109               | 80                | 209      | 40              | ** Reissue independent claims over original patent         |
| 110               | 18                | 210      | 9               | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 560

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity Fee Code | Small Entity Fee Code | Fee (\$) | Fee Description | Fee Paid   |  |
|-----------------------|-----------------------|----------|-----------------|--|--|
| 105                   | 130                   | 205      | 65              | Surcharge - late filing fee or oath  |  |
| 127                   | 50                    | 227      | 25              | Surcharge - late provisional filing fee or cover sheet                     |  |
| 139                   | 130                   | 139      | 130             | Non-English specification  |  |
| 147                   | 2,520                 | 147      | 2,520           | For filing a request for ex parte reexamination                            |  |
| 112                   | 920*                  | 112      | 920*            | Requesting publication of SIR prior to Examiner action                     |  |
| 113                   | 1,840*                | 113      | 1,840*          | Requesting publication of SIR after Examiner action                        |  |
| 115                   | 110                   | 215      | 55              | Extension for reply within first month                                     |  |
| 116                   | 390                   | 216      | 195             | Extension for reply within second month                                    |  |
| 117                   | 890                   | 217      | 445             | Extension for reply within third month                                     |  |
| 118                   | 1,390                 | 218      | 695             | Extension for reply within fourth month                                    |  |
| 128                   | 1,890                 | 228      | 945             | Extension for reply within fifth month                                     |  |
| 119                   | 310                   | 219      | 155             | Notice of Appeal   |  |
| 120                   | 310                   | 220      | 155             | Filing a brief in support of an appeal                                     |  |
| 121                   | 270                   | 221      | 135             | Request for oral hearing   |  |
| 138                   | 1,510                 | 138      | 1,510           | Petition to institute a public use proceeding                              |  |
| 140                   | 110                   | 240      | 55              | Petition to revive - unavoidable   |  |
| 141                   | 1,240                 | 241      | 620             | Petition to revive - unintentional   |  |
| 142                   | 1,240                 | 242      | 620             | Utility issue fee (or reissue)   |  |
| 143                   | 440                   | 243      | 220             | Design issue fee   |  |
| 144                   | 600                   | 244      | 300             | Plant issue fee  |  |
| 122                   | 130                   | 122      | 130             | Petitions to the Commissioner  |  |
| 123                   | 50                    | 123      | 50              | Processing fee under 37 CFR 1.17(q)  |  |
| 126                   | 180                   | 126      | 180             | Submission of Information Disclosure Stmt                                  |  |
| 581                   | 40                    | 581      | 40              | Recording each patent assignment per property (times number of properties) |  |
| 146                   | 710                   | 246      | 355             | Filing a submission after final rejection (37 CFR § 1.129(a))              |  |
| 149                   | 710                   | 249      | 355             | For each additional invention to be examined (37 CFR § 1.129(b))           |  |
| 179                   | 710                   | 279      | 355             | Request for Continued Examination (RCE)                                    |  |
| 169                   | 900                   | 169      | 900             | Request for expedited examination of a design application                  |  |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0

## SUBMITTED BY

|                   |                  |                                   |            |           |              |
|-------------------|------------------|-----------------------------------|------------|-----------|--------------|
| Name (Print/Type) | William C. Fuess | Registration No. (Attorney/Agent) | 30,054     | Telephone | 858 452 8293 |
| Signature         |                  | Date                              | 02/11/2002 |           |              |

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